



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

2007R00995

*United States Attorney's Office
610 Federal Plaza
Central Islip, New York 11722-4454*

November 23, 2007

VIA ECF

The Honorable Arthur D. Spatt
United States District Judge
United States District Court
Room 1024, Federal Plaza
Central Islip, New York 11722

Re: United States v. Sabhnani & Sabhnani
Case No. 07-CR-429(S-1) (ADS)

Dear Judge Spatt:

This letter responds to the defendants' November 20, 2007 request for the modification of the Order Setting Conditions of Release.

The government opposes the proposed reduction in the number of monitors. The use of three monitors appears to be satisfying the flight concerns of the Court and the government. As we are in the middle of the trial in this case, our concerns regarding flight have increased as the defendants have heard and evaluated the testimony of the government's witnesses. In addition, we believe that three monitors are necessary to address the defendants' risk of flight. We understand that one monitor is primarily responsible for the electronic monitoring inside the residence of all telephones, computers and facsimile machines, as well as the telephone of one of the defendants' employees who works off-site. We further understand that the remaining two monitors are responsible for both defendants, their four children, a full-time employee of the defendants who works inside the residence, guests at the residence, the entrances to the residence, and the perimeter of the residence. We believe that a reduction in the number of monitors would seriously compromise the ability of the monitors to adequately address the defendants' risk of flight.

Therefore, we respectfully oppose the defendants' application for a modification of the Order Setting Conditions of Release

Thank you for our consideration of this response.

Very truly yours,

BENTON J. CAMPBELL
United States Attorney
Eastern District of New York

By: /s/
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cc: Counsel of Record (via ECF)